

REMARKS

Claims 1-7 are pending and stand rejected. Claims 1 and 7 have been amended. No new matter has been added.

Claims 1, 2, 6 and 7 stand rejected under 35 USC 102(e) as being anticipated by McDevitt (US Pub. PA No. 2003/0186228).

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims. However, in the interest of advancing the prosecution of the instant application, applicant has elected to amend independent claims 1 and 7 to more clearly state the invention. More specifically, claims 1 and 7 have been amended to further recite that the skeleton of software architecture is composed "of generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides provide for specific issues." No new matter has been added. Support for the amendment may be found on page 8, lines 19-21 of the instant application.

With regard to claim 1, this claim, as amended, now recites:

1. A computer readable medium containing a computer program for managing a family of systems having a shared family architecture based upon commonly used generic building blocks of software, and wherein
a component framework that comprises a skeleton of software architecture of generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides for service specific issues and supports participating software plug-in components;
individual software plug-in components provides one or more services/functions and
the component framework defines roles/actions providing one or more common interfaces for communication of services of several plug-in components that manipulate hardware associated with the component framework.

McDervitt discloses a system for the rapid characterization of multi-analyte fluids including a light source, a sensor array and a detector. Using pattern recognition techniques, the analytes within a multi-analyte fluid may be characterized. McDervitt discloses that a software program may be implemented in any of various ways to execute the processing for characterizing the fluid (paragraphs 424-425). McDervitt fails to disclose any characteristics of the software program other than it may be an object-oriented program or it may use JAVA. McDervitt fails to disclose that the software program comprising a skeleton software architecture of generic and specific requirements, wherein said generic requirements focuses on generic meaning of service interfaces and said specific requirements provides for service specific issues, as is recited in the claims.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. McDervitt cannot be said to anticipate the present invention, because McDervitt fails to disclose each and every element recited. As shown, McDervitt fails to disclose "a software architecture of generic and specific requirements."

Having shown that McDervitt fails to disclose each and every element claimed, applicant submits that the reason for the examiner's rejection of the claim has been overcome and can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claim.

With regard to claim 7, this claim was rejected for the same reason recited in rejecting claim 1. Claim 7 has also been amended in a manner similar to that of claim 1. Thus, for the amendments made to claim 7 and applicant's remarks made in response to the examiner's rejection of claim 1 which are also applicable and repeated in response to the examiner's rejection of claim 7, applicant submits that the examiner's reason for rejecting claim 7 has been overcome and the rejection can no longer be sustained. Applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

With regard to claims 2 and 6, these claims ultimately depend from claim 1, which has been shown to contain subject matter not disclosed in the cited reference.

Accordingly, these claims also contain subject matter not disclosed in the cited reference by virtue of their dependency upon claim 1. Hence, for the same reasons recited with regard to claim 1, applicant respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.

Claims 3-5 stand rejected under 35 USC 103(a) as being unpatentable over McDevitt in view of provided reference entitled "Java 2 Platform, Enterprise edition, J2EE," by Bill Shannon.

Applicant respectfully disagrees with, and explicitly traverses, the examiner's reason for rejecting the claims. A claimed invention is prima facie obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitations.

With regard to claims 3-5, these claims depend from claim 2, which depends from claim 1, which has been shown to contain subject matter not recited by McDevitt. The Shannon reference represents a specification that describes a standard architecture for JAVA that is composed of a standard J2EE application model, a J2EE platform and a J2EE compatibility test suite. Shannon fails to teach or suggest "a software architecture ... of generic and specific requirements," as is recited in the claims.

In this case, McDevitt and Shannon are totally silent with regard to software architecture having generic and specific requirements. Accordingly, one would not look to combine the teachings of Shannon with that of McDevitt to develop the novel feature of the present invention. Further, even if there were some motivation to combine the teachings of McDevitt and Shannon, the combined device would not include all the elements recited in the claim.

Having shown that the combined device of McDevitt and Shannon fails to include all the elements claimed, applicant submits that the examiner's reason for rejecting the claims has been overcome and can no longer be sustained. Applicant

respectfully requests reconsideration, withdrawal of the rejection and allowance of the claims.


Although the last Office Action was made final, this amendment should be entered. Claims 1 and 7 have each been amended to include wherein clauses that explain that the software architecture is composed of generic and specific requirements. This subject matter has been added for the purpose of assisting the examiner to better understand the matter being claimed. No matter has been added to the claims that would require comparison with the prior art or any further review. Accordingly, pursuant to MPEP 714.13, applicant's amendments should only require a cursory review by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,
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